



**PLANNING COMMISSION AGENDA  
REGULAR MEETING  
MONDAY, FEBRUARY 19, 2018  
STUDY SESSION – 4:30 P.M. – CITY COUNCIL CHAMBERS  
REGULAR MEETING – 5:00 P.M. – CITY COUNCIL CHAMBERS**

1. Call to Order.
2. Roll Call.
3. Dispense with the reading and approve the minutes of the January 15, 2018 Regular Meeting as prepared.
4. Dispense with the reading and approve the minutes of the January 29, 2018 Special Meeting as prepared.
5. Executive session to discuss threatened or potential litigation

**OLD BUSINESS**

6. Consider a request of Dodd Engineering & Surveying, LLC, on behalf of Don Peterson and Associates Real Estate Co., Connie & Paul Barron, and Luanne & Gary Ehmcke, owners of approximately 4.8 acres described as a part of the Northwest Quarter of Section 19, Township 17 North, Range 9 East of the 6<sup>th</sup> P.M., Dodge County, Nebraska, for approval of a Zoning Change from RR Rural Residential to GC General Commercial.
  - Staff report
  - Public Hearing
  - Commission discussion and recommendation

**NEW BUSINESS**

7. Consider a request of Thomas L. Stamper and Teresa L. Stamper, owners of 2740 N. Yager, consisting of approximately 6.15 acres described as a tract of land located in lot 1, D. Schroeder's subdivision located in the northwest quarter of the southwest quarter of section 12, township 17 north, range 8 east of the 6<sup>th</sup> P.M., Dodge County, Nebraska, for approval of a zoning change from BP Business Park to GC General Commercial .
  - Staff report
  - Public Hearing
  - Commission discussion and recommendation

8. Consider a petition for voluntary annexation by Bob Missel on behalf of Dodge County, owners of 2860 W. 23<sup>rd</sup> Street, consisting of approximately 1.54 acres, described as of a tract of land described as a part of a parcel of land being part of the Southeast Quarter of the Southwest Quarter of Section 9, Township 17 North, Range 8 East of the Sixth P.M., Dodge County, Nebraska,
  - Staff Report
  - Public Hearing
  - Commission discussion and recommendation
9. Hear a presentation and receive input on the City's 1 and 6 Year Street Improvement Plan
  - Staff Report and presentation
  - Commission discussion – no formal action required
10. Adjournment.

**THIS MEETING WAS PRECEDED BY PUBLICIZED NOTICE IN THE FREMONT TRIBUNE, THE AGENDA DISPLAYED IN THE LOBBY OF THE MUNICIPAL BUILDING AND POSTED ONLINE AT [WWW.FREMONTNE.GOV](http://WWW.FREMONTNE.GOV) IN ACCORDANCE WITH THE NEBRASKA OPEN MEETINGS ACT, A COPY OF WHICH IS POSTED CONTINUALLY IN THE COUNCIL CHAMBERS FOR PUBLIC INSPECTION, AND SAID MEETING IS OPEN TO THE PUBLIC. A COPY OF THE AGENDA WAS ALSO KEPT CONTINUALLY CURRENT AND AVAILABLE TO THE PUBLIC IN THE PRINCIPLE OFFICE OF THE DEPARTMENT OF PLANNING, 400 EAST MILITARY AVENUE. THE PLANNING COMMISSION RESERVES THE RIGHT TO ADJUST THE ORDER OF ITEMS ON THIS AGENDA.**

**PLANNING COMMISSION MINUTES  
REGULAR MEETING  
MONDAY, JANUARY 15, 2018**

**PRESENT:** Chairman Dev Sookram, Commissioners Jarod Borisow, Rory Bowen, Zach Carlson, Marty Gifford, Rol Horeis, Mitch Sawyer, and Planning Director, Troy Anderson.

**ABSENT:** Commissioner Amber Barton and Carl Nielsen.

1. Call to Order. Chairman Sookram called the meeting to order at 5:00 p.m.
2. Roll Call. A roll call showed seven (7) members present, two (2) members absent – a quorum was established.

Chairman Dev Sookram then read the following statement: This meeting was preceded by publicized notice in the Fremont Tribune, the agenda displayed in the lobby of the Municipal Building and posted online at [www.fremontne.gov](http://www.fremontne.gov) in accordance with the Nebraska open meetings act, a copy of which is posted continually in the council chambers for public inspection and said meeting is open to the public. A copy of the agenda was also kept continually current and available to the public in the principle office of the Department of Planning, 400 East Military Avenue. The Planning Commission reserves the right to adjust the order of items on this agenda. This meeting is hereby declared to be duly convened and in open session.

3. Elect a Chair and Vice-Chair in accordance with Commission By-laws.

Chairman Sookram asked for nominations for Chairman.

**Motion:** It was moved by Commissioner Borisow and seconded by Commissioner Sawyer to elect Dev Sookram as Chairman. A roll call vote showed all members present voting aye – the motion carried unanimously.

Chairman Sookram asked for nominations for Vice-Chairman.

**Motion:** It was moved by Commissioner Sawyer and seconded by Commissioner Horeis to elect Marty Gifford as Vice-chairman. A roll call vote showed all members present voting aye – the motion carried unanimously.

4. Dispense with the reading and approve the minutes of the December 18, 2017, Regular Meeting as prepared.

Chairman Sookram read the item into the record. Hearing no discussion, Sookram entertained a motion.

**Motion:** It was moved by Commissioner Borisow, and seconded by Commissioner Gifford, to dispense with the reading of the minutes and approve the minutes as provided. A roll call vote showed all members present voting aye – the motion carried unanimously.

**OLD BUSINESS**

5. Consider a request of Dodd Engineering & Surveying, LLC, on behalf of Don Peterson and Associates Real Estate Co., Connie & Paul Barron, and Luanne & Gary Ehmcke, owners of approximately 4.8 acres described as a part of the Northwest Quarter of Section 19, Township 17 North, Range 9 East of the 6<sup>th</sup> P.M., Dodge County, Nebraska, for approval of a Zoning Change from RR Rural Residential to GC General Commercial.

Chairman Sookram read the item into the record.

Planning Director, Troy Anderson read Staff's Report.

Sookram then proceeded to open the floor to public hearing.

Hearing no other comments, Sookram closed the floor to public hearing and opened the floor to Commission discussion and action.

**Motion:** It was moved by Commissioner Borisow and seconded by Commissioner Gifford to continue the item until the next regular Planning Commission meeting. A roll call vote showed five (5) members voting aye and two (2) members voting nay; the motion carried 5-2.

## NEW BUSINESS

6. Annual review of the City of Fremont Comprehensive Plan, particularly amendments to the Future Land Use Plan.

Chairman Sookram read the item into the record.

Planning Director, Troy Anderson read Staff's Report explaining each suggested amendment to the Future Land Use Plan.

Sookram then proceeded to open the floor to public hearing.

Hearing no other comments, Sookram closed the floor to public hearing and opened the floor to Commission discussion and action.

Approval of an update to the Future Land Use Map, from Residential to Industrial, for property more commonly identified as the community solar farm.

**Motion:** It was moved by Commissioner Borisow and seconded by Commissioner Gifford to recommend approval of the amendment. A roll call vote showed seven (7) members voting aye; the motion carried 7-0.

- A. Consider an update to the Future Land Use Map, from Rural to Commercial, for property on North Broad.

**Motion:** It was moved by Commissioner Borisow and seconded by Commissioner Gifford to recommend approval of the amendment. A roll call vote showed seven (7) members voting aye; the motion carried 7-0.

- B. Consider an update to the Future Land Use Map, from Rural to Commercial, for property on East 23<sup>rd</sup> Street (HWY 30/HWY 275).

**Motion:** It was moved by Commissioner Borisow and seconded by Commissioner Sawyer to recommend approval of the amendment. A roll call vote showed seven (7) members voting aye; the motion carried 7-0.

- C. Consider an update to the Future Land Use Map, from Rural to Residential, for property east of town between HWY 30 and Military Avenue.

**Motion:** It was moved by Commissioner Borisow and seconded by Commissioner Bowen to recommend approval of the amendment. A roll call vote showed seven (7) members voting aye; the motion carried 7-0.

- D. Consider an update to the Future Land Use Map, from Rural to Commercial, for property on East Military corridor.

**Motion:** It was moved by Commissioner Borisow and seconded by Commissioner Horeis to recommend approval of the amendment. A roll call vote showed seven (7) members voting aye; the motion carried 7-0.

- E1. Consider an update to the Future Land Use Map, from Residential to Institutional/Campus/University, for property north of Fremont Middle School.

**Motion:** It was moved by Commissioner Borisow and seconded by Commissioner Sawyer to recommend approval of the amendment. A roll call vote showed seven (7) members voting aye; the motion carried 7-0.

- E2. Consider update to the Future Land Use Map, from Residential to Commercial, for property on Military Avenue near Fremont Middle School.

**Motion:** It was moved by Commissioner Borisow and seconded by Commissioner Horeis to deny the amendment. A roll call vote showed three (3) members voting aye (Borisow, Carlson, and Horeis) and three (3) members voting nay (Bowen, Gifford, and Sawyer); Chairman Sookram voted aye – the motion carried 4-3.

- F. Consider an update to the Future Land Use Map, from Rural to Commercial, for property on east Morningside Road.

**Motion:** It was moved by Commissioner Borisow and seconded by Commissioner Gifford to recommend approval of the amendment. A roll call vote showed seven (7) members voting aye; the motion carried 7-0.

- G. Consider an update to the Future Land Use Map, from Rural to Residential, for property south of Morningside Road.

**Motion:** It was moved by Commissioner Borisow and seconded by Commissioner Carlson to recommend approval of the amendment. A roll call

vote showed seven (7) members voting aye; the motion carried 7-0.

- H. Consider an update to the Future Land Use Map, from Rural to Commercial, for property south of Morningside Road and west of County Road 25.

**Motion:** It was moved by Commissioner Borisow and seconded by Commissioner Nielsen, to recommend approval of the amendment for the north two-thirds of Exhibit H. A roll call vote showed five (5) members voting aye (Borisow, Bowen, Carlson, Horeis, and Sookram) and two members voting nay (Gifford and Sawyer); the motion carried 5-2.

- I. Consider an update to the Future Land Use Map, from Rural to Industrial, for property north of HWY 275 and south of Morningside Road.

**Motion:** It was moved by Commissioner Borisow and seconded by Commissioner Gifford to recommend approval of the amendment. A roll call vote showed seven (7) members voting aye; the motion carried 7-0.

- J. Consider an update to the Future Land Use Map, from Rural to Residential, for property West of Schuyler Avenue and south of South Street.

**Motion:** It was moved by Commissioner Borisow and seconded by Commissioner Sawyer to recommend approval of the amendment. A roll call vote showed seven (7) members voting aye; the motion carried 7-0.

7. Adjournment. There being no further business, Chairman Sookram declared the meeting adjourned.

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**PLANNING COMMISSION MINUTES  
SPECIAL MEETING  
MONDAY, JANUARY 26, 2018**

**PRESENT:** Chairman Dev Sookram, Commissioners Jarod Borisow, Rory Bowen, Zach Carlson, Marty Gifford, Rol Horeis, Carl Nielsen, Mitch Sawyer, and Planning Director, Troy Anderson.

**ABSENT:** Commissioner Amber Barton.

1. Call to Order. Chairman Sookram called the meeting to order at 5:00 p.m.
2. Roll Call. A roll call showed eight (8) members present, one (1) members absent – a quorum was established.

Chairman Dev Sookram then read the following statement: This meeting was preceded by publicized notice in the Fremont Tribune, the agenda displayed in the lobby of the Municipal Building and posted online at [www.fremontne.gov](http://www.fremontne.gov) in accordance with the Nebraska open meetings act, a copy of which is posted continually in the council chambers for public inspection and said meeting is open to the public. A copy of the agenda was also kept continually current and available to the public in the principle office of the Department of Planning, 400 East Military Avenue. The Planning Commission reserves the right to adjust the order of items on this agenda. This meeting is hereby declared to be duly convened and in open session.

3. Consider a Redevelopment Plan for properties described as being part of Sections 2 and 11, all in Township 17 North, Range 8 East of the 6<sup>th</sup> P.M., Dodge County, Nebraska, and more generally located at 4100 N Broad St., to hereinafter be known as the North Broad Street Redevelopment Plan, including a specific redevelopment project to be known as Nebraska Irrigated Seeds Redevelopment Project.

Chairman Sookram read the item into the record.

Planning Director, Troy Anderson introduced a revised Redevelopment Plan and asked that it be received and filed with the Commission.

**Motion:** It was moved by Commissioner Sawyer and seconded by Commissioner Borisow to receive and file a revised Redevelopment Plan into the record. A roll call vote showed all members present voting aye – the motion carried unanimously.

Planning Director, Troy Anderson read Staff's report.

Sookram then proceeded to open the floor to public hearing.

Hearing no other comments, Sookram closed the floor to public hearing and opened the floor to Commission discussion and action.

**Motion:** It was moved by Commissioner Sawyer and seconded by Commissioner Bowen to approve the revised North Broad Redevelopment Plan.

A roll call vote showed all members present voting aye – the motion carried unanimously.

4. Adjournment. There being no further business, Chairman Sookram declared the meeting adjourned.

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## **STAFF REPORT**

TO: Planning Commission

FROM: Oliver J. Glass, Interim City Attorney

DATE: February 19, 2018

SUBJECT: Executive session to discuss threatened or potential litigation

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RECOMMENDATION: Go into executive session

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BACKGROUND: Go into executive session to discuss threatened or potential litigation

# Staff Report

**TO:** Planning Commission  
**FROM:** Don Simon, Building Official  
**DATE:** February 19, 2018  
**SUBJECT:** Zoning Change – NW1/4 S19 T17N R9E

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**Recommendation:** 1) open the public hearing, 2) receive testimony, 3) close the public hearing, and 4) move to recommend.

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**Background:** Dodd Engineering & Surveying, LLC, on behalf of Don Peterson and Associates Real Estate Co., Connie & Paul Barron, and Luanne & Gary Ehmcke, the owners of approximately 4.8 acres described as a part of the Northwest Quarter of Section 19, Township 17 North, Range 9 East of the 6<sup>th</sup> P.M. Dodge County, Nebraska, Dodd Engineering & Surveying, LLC, is requesting approval of a zoning change from RR Rural Residential to GC General Commercial. The reason for the request is to further development plans for the subject property.

The subject property is located along the south side of E Military Ave. between N Luther Rd. to the west and N Johnson Rd. to the east. Property to the north, opposite E Military Ave. is zoned R Rural and is unlisted but can be generally identified as a church. Property immediately east of the subject property is zoned GC General Commercial. Property immediately south and west of the subject property is zoned R Rural.

On December 18, 2017 the Planning Commission recommended continuing consideration of the Zoning Change until after revisiting the Future Land Use Plan.

On January 15, 2018 the Planning Commission revisited the Future Land Use Plan. The Future Land Use Plan identifies the subject property as GC General Commercial and would therefore be consistent with the City's Comprehensive Plan for Future Land Use and Character.

**Fiscal Impact:** N/A

## ZONING APPLICATION

### APPLICATION TYPE

- ☒ Zoning Change (including conventional and planned unit development requests)  
☐ Conditional Use Permit

### APPLICANT (all correspondence will be directed to the applicant)

STEPHEN W. DODD  
Name DODD ENGINEERING & SURVEYING LLC Phone 402-720-5017  
Address P.O. BOX 1855 Fax \_\_\_\_\_  
City FREMONT State NE Zip 68026  
Email doddeng1@gmail.com

### PROPERTY OWNER (if not the same as applicant above)

DON PETERSON AND ASSOCIATES REAL ESTATE CO.  
Name CONNIE L. & PAUL BARRON, LUANNE & GARY EHMCKE Phone 402-721-9700  
ATTN: MARLIN BRABEC  
Address 100 EAST 6TH STREET Fax \_\_\_\_\_  
City FREMONT State NE Zip 68025  
Email marlin@donpeterson.com

### ENGINEER, SURVEYOR, OR ARCHITECT (if not the same as applicant above)

Name SAME AS APPLICANT Phone \_\_\_\_\_  
Address \_\_\_\_\_ Fax \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
Email \_\_\_\_\_

### AGENT (if not the same as applicant above)

Name SAME AS APPLICANT Phone \_\_\_\_\_  
Address \_\_\_\_\_ Fax \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
Email \_\_\_\_\_

(application continued on next page)

## ZONING APPLICATION

### PROPERTY INFORMATION

Address of Property EAST MILITARY AVENUE, FREMONT, NE 68025

General Location (if no address is available) 4.76 ACRES ON THE SOUTH SIDE OF MILITARY AVE., SOUTH  
OF 1ST LUTHERAN CHURCH, WEST OF KHUB RADIO TOWER.

Brief Legal Description of Property 4.76 ACRES LOCATED IN THE NW1/4 OF SECTION 19, TOWNSHIP  
17 NORTH, RANGE 9 EAST OF THE 6TH P.M., DODGE COUNTY, NEBRASKA.

Description of Request REZONE 4.76 ACRES CURRENTLY ZONED RR (RURAL RESIDENTIAL) TO GC  
(GENERAL COMMERCIAL).

(SEE REGISTER OF DEEDS BOOK \_\_\_\_\_, PAGE \_\_\_\_\_ FOR CURRENT DEED.)

An application may be filed only by the owner(s) of the property, or duly authorized officer or agent of the owner(s). By executing this application, he/she does hereby acknowledge the above statements to be true and accurate to the best of their knowledge, and understand that knowing and willful falsification of information will result in rejection of the application and may be subject to criminal prosecution.

I have received, read and understand the terms and conditions of this request, and agree to compliance with all applicable codes and ordinances of the City.



Signature

STEPHEN W. DODD

Print Name

11/20/2017

Date

### Office Use Only

Submittal Date \_\_\_\_\_ Project No. \_\_\_\_\_

Payment Amount \_\_\_\_\_ Receipt No. \_\_\_\_\_

Other Comments \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

REZONE FROM RR TO GC:

A PARCEL OF LAND LOCATED IN THE NW1/4 OF SECTION 19, TOWNSHIP 17 NORTH, RANGE 9 EAST OF THE 6TH P.M., DODGE COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST 1/4 CORNER OF SAID SECTION 19; THENCE N02°14'03"W ALONG THE WEST LINE OF THE NW1/4 OF SAID SECTION 19 A DISTANCE OF 1253.00 FEET; THENCE N87°45'57"E A DISTANCE OF 178.00 FEET; THENCE N02°14'03"W A DISTANCE OF 317.84 FEET TO A POINT ON THE SOUTH LINE OF MILITARY AVENUE, SAID POINT BEING 86.00 FEET FROM CENTERLINE MEASURED AT RIGHT ANGLES; THENCE S88°17'50"E ALONG SAID SOUTH LINE A DISTANCE OF 1593.92 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING S88°17'50"E A DISTANCE OF 367.73 FEET; THENCE N01°42'29"E A DISTANCE OF 13.00 FEET; THENCE S88°17'50"E A DISTANCE OF 202.36 FEET; THENCE S02°16'57"E A DISTANCE OF 342.91 FEET; THENCE S87°35'36"W A DISTANCE OF 602.10 FEET; THENCE N10°49'08"E A DISTANCE OF 1.99 FEET; THENCE ALONG A 500.00 FOOT RADIUS CURVE TO THE LEFT AN ARC LENGTH OF 79.55 FEET, THROUGH A CENTRAL ANGLE OF 09°06'58", HAVING A CHORD BEARING N06°15'39"E AND A CHORD LENGTH OF 79.47 FEET; THENCE N01°42'10"E A DISTANCE OF 291.05 FEET TO THE POINT OF BEGINNING; CONTAINING 4.76 ACRES, MORE OR LESS.

Return to:  
Dodge County Title & Escrow Co. LLC  
549 N. Main  
Fremont, NE 68025

## WARRANTY DEED

Connie Lynn Barron, formerly known as Connie Lynn Eckerson and Paul F. Barron, wife and husband, LuAnn Ehmcke, formerly known as LuAnn Eckerson and Gary E. Ehmcke, wife and husband, GRANTORS, in consideration of Two Dollars (\$2.00) and other good and valuable consideration received from GRANTEE,

Don Peterson & Associates Real Estate Co., convey to GRANTEE, the following described real estate (as defined in Neb. Stat. 76-201) in Dodge County, Nebraska:

See attached legal description marked "Exhibit A"

GRANTORS covenants with GRANTEE that GRANTORS:

- (1) is lawfully seized of such real estate, that it is free from encumbrances, except easements, restrictions and reservations of records, and a pro-rated share of current real estate taxes and subsequent taxes and assessments;
- (2) has legal power and lawful authority to convey the same;
- (3) warrants and will defend title to the real estate against the lawful claims of all persons.

Executed December 27, 2013.

Connie Lynn Barron  
Connie Lynn Barron, f/k/a Connie Lynn Eckerson

Paul F. Barron  
Paul F. Barron

LuAnn Ehmcke  
LuAnn Ehmcke, f/k/a LuAnn Eckerson

Gary E. Ehmcke  
Gary E. Ehmcke

State of Nebraska  
County of Dodge

The foregoing instrument was acknowledged before me this 27 day of December, 2013, by Connie Lynn Barron, formerly known as Connie Lynn Eckerson and Paul F. Barron, wife and husband, LuAnn Ehmcke, formerly known as LuAnn Eckerson and Gary E. Ehmcke, wife and husband.

Connie S. McGowan  
Notary Public

**EXHIBIT "A"**

**A PARCEL OF LAND LOCATED IN THE WEST 1/2 OF THE NW1/4 OF SECTION 19, TOWNSHIP 17 NORTH, RANGE 9 EAST OF THE 6TH P.M., DODGE COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

**COMMENCING AT THE WEST 1/4 CORNER OF SAID SECTION 19;  
THENCE N02°14'03"W ALONG THE WEST LINE OF THE NW1/4 OF SAID SECTION 19 A DISTANCE OF 1253.00 FEET;  
THENCE AT RIGHT ANGLES N87°45'57"E A DISTANCE OF 202.18 FEET TO THE POINT OF BEGINNING;**

**THENCE CONTINUING N87°45'57"E A DISTANCE OF 37.82 FEET;**

**THENCE AT RIGHT ANGLES N02°14'03"W A DISTANCE OF 313.57 FEET TO A POINT ON THE SOUTH LINE OF MILITARY AVENUE, SAID POINT BEING 86.00 FEET FROM CENTERLINE MEASURED AT RIGHT ANGLES;**

**THENCE S88°17'50"E ALONG SAID SOUTH LINE A DISTANCE OF 755.85 FEET;**

**THENCE S01°42'10"W A DISTANCE OF 162.19 FEET;**

**THENCE S08°44'56"W A DISTANCE OF 179.04 FEET;**

**THENCE S14°07'35"W A DISTANCE OF 126.95 FEET;**

**THENCE S00°45'35"E A DISTANCE OF 87.58 FEET;**

**THENCE S06°53'48"E A DISTANCE OF 150.46 FEET;**

**THENCE S02°24'24"E A DISTANCE OF 75.01 FEET;**

**THENCE S87°35'36"W A DISTANCE OF 122.49 FEET;**

**THENCE S02°24'24"E A DISTANCE OF 31.55 FEET;**

**THENCE S87°35'36"W A DISTANCE OF 100.10 FEET;**

**THENCE S73°30'13"W A DISTANCE OF 160.76 FEET;**

**THENCE N85°54'09"W A DISTANCE OF 154.46 FEET;**

**THENCE N11°19'10"W A DISTANCE OF 186.51 FEET;**

**THENCE N06°54'13"E A DISTANCE OF 78.50 FEET;**

**THENCE N31°56'06"E A DISTANCE OF 34.82 FEET;**

**THENCE N50°29'33"W A DISTANCE OF 148.43 FEET;**

**THENCE N52°30'51"W A DISTANCE OF 55.00 FEET;**

**THENCE ALONG A 177.50 FOOT RADIUS CURVE TO THE RIGHT AN ARC LENGTH OF 48.53 FEET; THROUGH A CENTRAL ANGLE OF 15°39'54", HAVING A CHORD BEARING N45°19'06"E, AND A CHORD LENGTH OF 48.38 FEET;**

**THENCE N36°50'57"W A DISTANCE OF 131.12 FEET TO THE POINT OF BEGINNING.**

22

KNOW ALL MEN BY THESE PRESENTS:

THAT I or We, Marian J. Eckerson, single, Neil W. Schilke, Trustee,  
and Vella I. Day, single

, herein called the grantor whether one or more,

in consideration of Love and affection

received from grantee, do hereby grant, bargain, sell, convey and confirm unto

Connie Lynn Eckerson and Lu Ann Eckerson Conrad as tenants in common

herein called the grantee whether one or more, the following described real property in

Dodge County, Nebraska

The remainder interest, subject to the life estates of Vella I.  
Day and Marian J. Eckerson, which are expressly reserved and  
conveyed, in the following described real estate:

(attached)

NEBRASKA DOCUMENTARY  
STAMP TAX  
Date Dec. 27, 1985  
\$ 24.22 By TH

FEE BOOK  
INDEXED ✓  
COMPARED ✓  
GRANTOR ✓  
GRANTEE ✓  
FEE \$ 12.00

To have and to hold the above described premises together with all tenements, hereditaments and appur-  
tenances thereto belonging unto the grantee and to grantee's heirs and assigns forever.

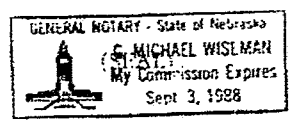
And the grantor does hereby covenant with the grantee and with grantee's heirs and assigns that grantor  
is lawfully seised of said premises; that they are free from encumbrance

that grantor has good right and lawful authority to convey the same; and that grantor warrants and will defend  
the title to said premises against the lawful claims of all persons whomsoever.

Dated December 27, 1985  
Vella I. Day  
Vella I. Day

Marian J. Eckerson  
Marian J. Eckerson  
Neil W. Schilke, Trustee  
Neil W. Schilke, Trustee

STATE OF Nebraska } ss. On this 27 day of December 1985 before  
Dodge County } me, the undersigned a Notary Public, duly commissioned and qualified for  
in said county, personally came Marian J. Eckerson, single,  
Neil W. Schilke, Trustee, and Vella I. Day, single



to me known to be the identical person or persons whose name is or names are  
affixed to the foregoing instrument and acknowledged the execution thereof to be  
his, her or their voluntary act and deed.

Witness my hand and Notarial Seal the day and year last above written.

My Commission expires the day of

STATE OF Nebraska } ss.  
County Dodge }  
Entered on numerical index and filed for record in the Register of Deeds Office of said County the  
27 day of Dec 1985 at 12 o'clock and 22 minutes P.M.  
and recorded in Book 190 of Deeds at page 638

Laughon Henry  
Reg. of Deeds  
By Deputy



The South Half of the Southwest Quarter of Section 20, Township 17, Range 9, except 20 feet wide across the East side of said tract.

✓ The East Half of the Southwest Quarter of Section 13, Township 17, Range 9

The Northwest Quarter of Section 19, Township 17, Range 9, except tract described in Deed recorded in Book 109, page 515.

✓ 100 foot strip extending over the Northwest Quarter of the Southeast Quarter of Section 13, Township 17, Range 9, being the abandoned railroad line known as "Frederic Cat-off".

That part of the Northwest Quarter of the Southeast Quarter of Section 13, Township 17, Range 9, lying East of the abandoned railroad cat-off, also known as "Tax Lot 1" in the Southeast Quarter of Section 13.

The Northeast Quarter of the Southeast Quarter of Section 13, Township 17, Range 9, except 2 acre tract heretofore conveyed and described in Book 84, page 86, in the Deed Records.

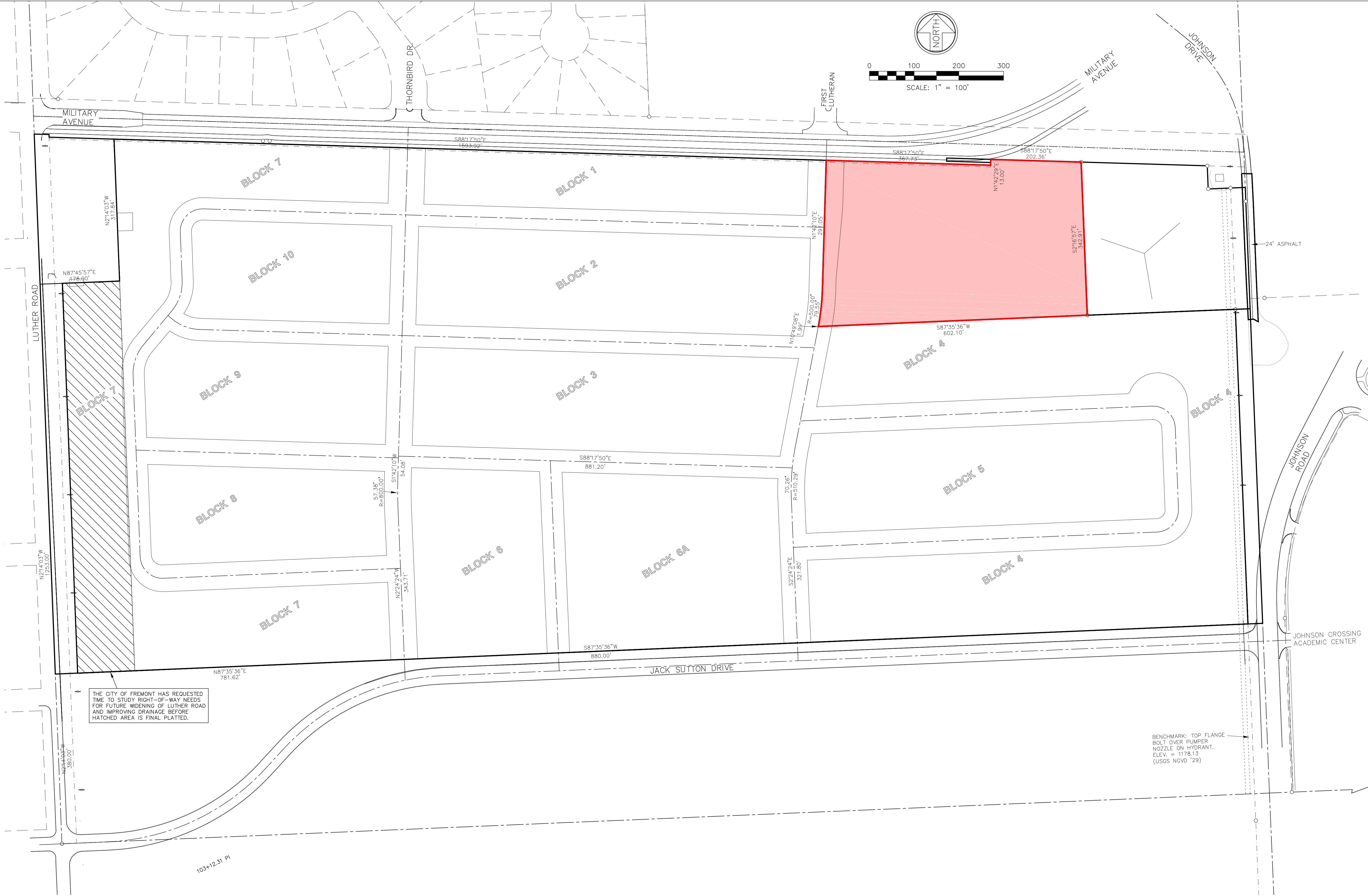
Except such portions thereof that have been conveyed to other Court or otherwise conveyed in Deed or Record.





REZONE TO GC

REZONE FROM RR TO GC:  
A PARCEL OF LAND LOCATED IN THE NW1/4 OF SECTION 19, TOWNSHIP 17 NORTH, RANGE 9 EAST OF THE 6TH P.M., DODGE COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE WEST 1/4 CORNER OF SAID SECTION 19; THENCE N02°14'03"W ALONG THE WEST LINE OF THE NW1/4 OF SAID SECTION 19 A DISTANCE OF 1253.00 FEET; THENCE N07°45'57"E A DISTANCE OF 178.00 FEET; THENCE N02°14'03"W A DISTANCE OF 317.84 FEET TO A POINT ON THE SOUTH LINE OF MILITARY AVENUE, SAID POINT BEING 86.00 FEET FROM CENTERLINE MEASURED AT RIGHT ANGLES; THENCE S88°17'50"E ALONG SAID SOUTH LINE A DISTANCE OF 1593.92 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING S88°17'50"E A DISTANCE OF 367.73 FEET; THENCE N01°42'29"E A DISTANCE OF 13.00 FEET; THENCE S88°17'50"E A DISTANCE OF 202.36 FEET; THENCE S02°16'57"E A DISTANCE OF 342.91 FEET; THENCE S87°35'36"W A DISTANCE OF 602.10 FEET; THENCE N10°49'08"E A DISTANCE OF 1.99 FEET; THENCE ALONG A 500.00 FOOT RADIUS CURVE TO THE LEFT AN ARC LENGTH OF 79.55 FEET, THROUGH A CENTRAL ANGLE OF 09°06'58", HAVING A CHORD BEARING N06°15'39"E AND A CHORD LENGTH OF 79.47 FEET; THENCE N01°42'10"E A DISTANCE OF 291.05 FEET TO THE POINT OF BEGINNING; CONTAINING 4.76 ACRES, MORE OR LESS.



SunRidge Place Addition  
TO THE CITY OF FREMONT  
DODGE COUNTY, NEBRASKA

CURRENT REZONING REQUESTS

DRAFT- NOT FOR CONSTRUCTION

SUBMITTED 11/20/2017  
REVISED 12/10/2017

SHEET 4

Dodd Engineering & Surveying LLC  
Stephen W. Dodd, P.E. & L.S.  
Email: Steve@doddengineering.net  
402 Fremont, NE 68026-1855  
Ph. 402-727-9067

# Staff Report

**TO:** Planning Commission  
**FROM:** Don Simon, Building Official  
**DATE:** February 19, 2018  
**SUBJECT:** Zoning Change – D Schroedes Sub TL 145 6.15A, known as 2740 N Yager

---

**Recommendation:** 1) open the public hearing, 2) receive testimony, 3) close the public hearing, and 4) move to recommend

---

**Background:** Thomas Stamper & Teresa Stamper, the owners of approximately 6.15 acres described as a tract of land located in lot 1, D. Schroeder's subdivision located in the northwest quarter of the southwest quarter of section 12, township 17 north, range 8 east of the 6<sup>th</sup> P.M., Dodge County, Nebraska, and being more particularly described as follows: commencing at the southwest corner of said northwest quarter southwest quarter and going thence N 00 degrees 18 minutes 20 seconds W. on an assumed bearing, along the west margin of said northwest quarter southwest quarter for a distance of 33.00 feet to the point of beginning; thence continuing N 00 degrees 18 minutes 20 seconds W along said west margin for a distance of 469.00 feet; thence N 89 degrees 20 minutes 40 seconds E. for a distance of 567.00 feet; thence S 00 degrees 18 minutes 20 seconds E. parallel to the west margin of said northwest quarter southwest quarter for a distance of 475.00 feet to a point 33.00 feet north of the south margin of said northwest quarter southwest quarter; thence south 90 degrees 00 minutes 00 seconds W parallel to said south margin for a distance of 567.00 feet to the point of beginning, said tract being subject to a public road R.O.W. along the west, are requesting approval of a zoning change from BP Business Park to GC General Commercial. The reason for the request is to rezone for sale of the subject property.

The subject property is located in the southwest corner of the Technical Business Park, along the east side of Yager Rd. at 2740 N Yager Rd., between E 23<sup>rd</sup> & E 32<sup>nd</sup>. Property to the north and east is zoned BP Business Park. The fiber optic companies American Broad Band, Neutral Path Communications, and Great Plains Communications buildings are located adjacent to the north and east of subject property. Immediate adjacent to the south of the Property is the Rawhide Creek. The property immediately south of Rawhide Creek is zoned LI Limited Industrial, two separate adjacent parcels with two separate owners. Property to the west, across Yager, of the subject property is zoned UR Urban Residential.

The Future Land Use Plan identifies the subject property as GC General Commercial and would therefore be consistent with the City's Comprehensive Plan for Future Land Use and Character.

**Fiscal Impact:** N/A

## ZONING APPLICATION

CURRENT ZONING

### PROPERTY INFORMATION


Address of Property 2740 N. YAGER  
General Location (if no address is available) \_\_\_\_\_

Brief Legal Description of Property D Schroeders Sub TL 145 6.15A

Description of Request REZONE FOR SALE  
Rezone to GC (general commercial) which  
fits in the future land use plan.

An application may be filed only by the owner(s) of the property, or duly authorized officer or agent of the owner(s). By executing this application, he/she does hereby acknowledge the above statements to be true and accurate to the best of their knowledge, and understand that knowing and willful falsification of information will result in rejection of the application and may be subject to criminal prosecution.

I have received, read and understand the terms and conditions of this request, and agree to compliance with all applicable codes and ordinances of the City.

	Tom STAMPER	11 JAN 2018
	Teresa Stamper	11 Jan 18
Signature	Print Name	Date

### Office Use Only

Submittal Date 1-12-17 Project No. ✓ #13072  
Payment Amount \$125.00 Receipt No. \_\_\_\_\_  
Other Comments \_\_\_\_\_

## ZONING APPLICATION

### APPLICATION TYPE

- ☒ Zoning Change (including conventional and planned unit development requests)  
☐ Conditional Use Permit

### APPLICANT (all correspondence will be directed to the applicant)

Name THOMAS STAMPER Phone 402-670-6640  
Address 2740 N. YAGER Fax \_\_\_\_\_  
City FREMONT State NE Zip 68025  
Email TNTNASTAMPER@YAHOO.COM

### PROPERTY OWNER (if not the same as applicant above)

Name Teresa Stamper Phone 402-289-7848  
Address \_\_\_\_\_ Fax \_\_\_\_\_  
City \_\_\_\_\_ State Same Zip \_\_\_\_\_  
Email \_\_\_\_\_

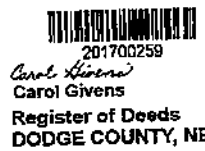
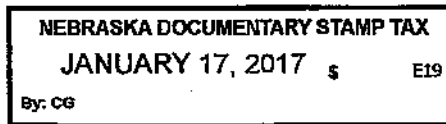
### ENGINEER, SURVEYOR, OR ARCHITECT (if not the same as applicant above)

Name \_\_\_\_\_ Phone \_\_\_\_\_  
Address \_\_\_\_\_ Fax \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
Email \_\_\_\_\_

### AGENT (if not the same as applicant above)

Name Jan Nicola Phone 402-720-5413  
Address 1900 E Military Ave, Ste 212 Fax \_\_\_\_\_  
City Fremont State NE Zip 68025  
Email jan.nicola@gmail.com

(application continued on next page)



201700259

Filed:

January 17, 2017 8:47:00 AM

Fee \$16.00

NEED TO BE FILED DIRECTLY FROM OPERATOR TO REPOSITORY

## WARRANTY DEED

## KNOW ALL MEN BY THESE PRESENTS:

THAT WE, Thomas Lee Stamper and Teresa Linn Stamper, husband and wife, herein called the Grantor whether one or more, in consideration of One Dollar (\$1.00) and other valuable consideration received from Grantee, does hereby grant, bargain, sell, convey and confirm unto Thomas Lee Stamper and Teresa Linn Stamper, Trustees of the Thomas Lee Stamper and Teresa Linn Stamper Revocable Trust, herein called the Grantee whether one or more, the following described real property in Dodge County, Nebraska:

See Exhibit A attached hereto and incorporated herein by reference as if fully set forth.

To have and to hold the above described premises together with all tenements, hereditaments and appurtenances hereto belonging unto the Grantee's heirs and assigns forever.

And the Grantor does hereby covenant with the Grantee and with Grantee's heirs and assigns that Grantor is lawfully seised of said premises; that they are free from encumbrances that Grantor has good right and lawful authority to convey the same; and that Grantor warrants and will defend the title to said premises against the lawful claims of all persons whomsoever.

DATED this 11<sup>th</sup> day of January, 2017.

BY:

Thomas Lee Stamper

BY:

Teresa Linn Stamper

STATE OF NEBRASKA )  
 ) SS.  
COUNTY OF DODGE )

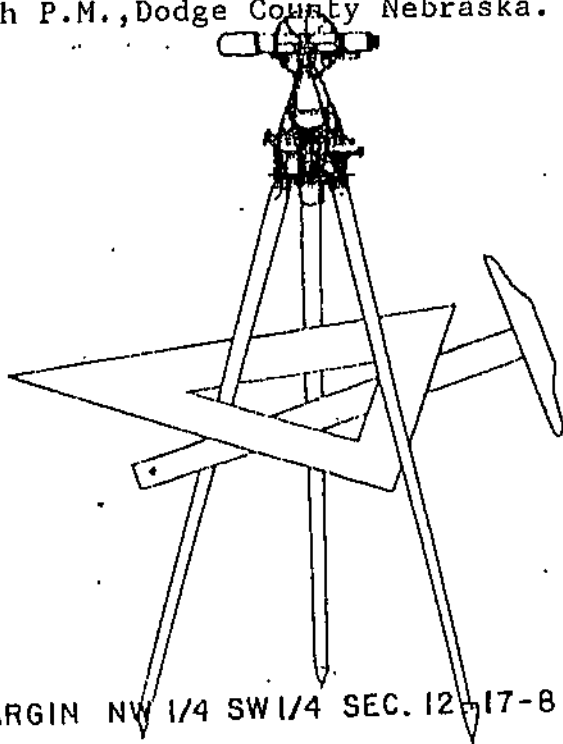
On this 11<sup>th</sup> day of January, 2017, before me, the undersigned Notary Public, duly commissioned and qualified for and in said county, personally came Thomas Lee Stamper and Teresa Linn Stamper, husband and wife to me personally known to be the identical persons whose names are affixed to the foregoing instrument, and acknowledged the execution of the same to be their voluntary act and deed for the purposes therein set forth.

WITNESS my hand and official seal the date and year last above written.



Notary Public

Topography Plat located in the NW1/4SW1/4 of Section 12, Township:17 North,  
Range 8 East of the 6th P.M., Dodge County Nebraska.



COPY

← WEST MARGIN NW 1/4 SW 1/4 SEC. 12-17-8

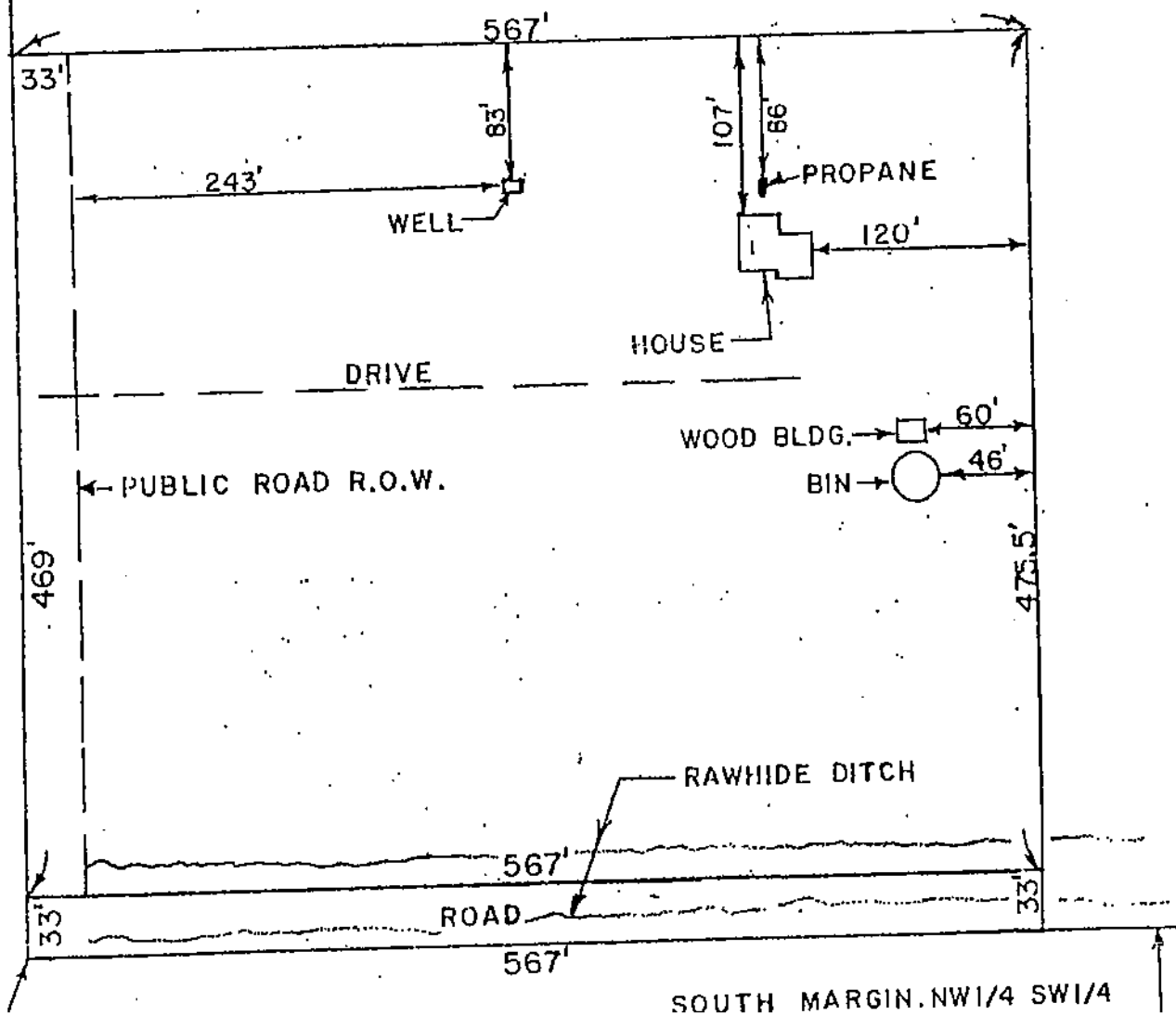
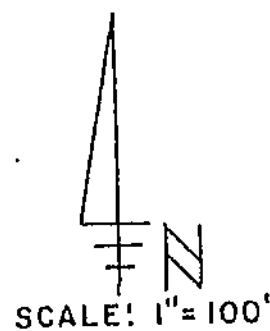
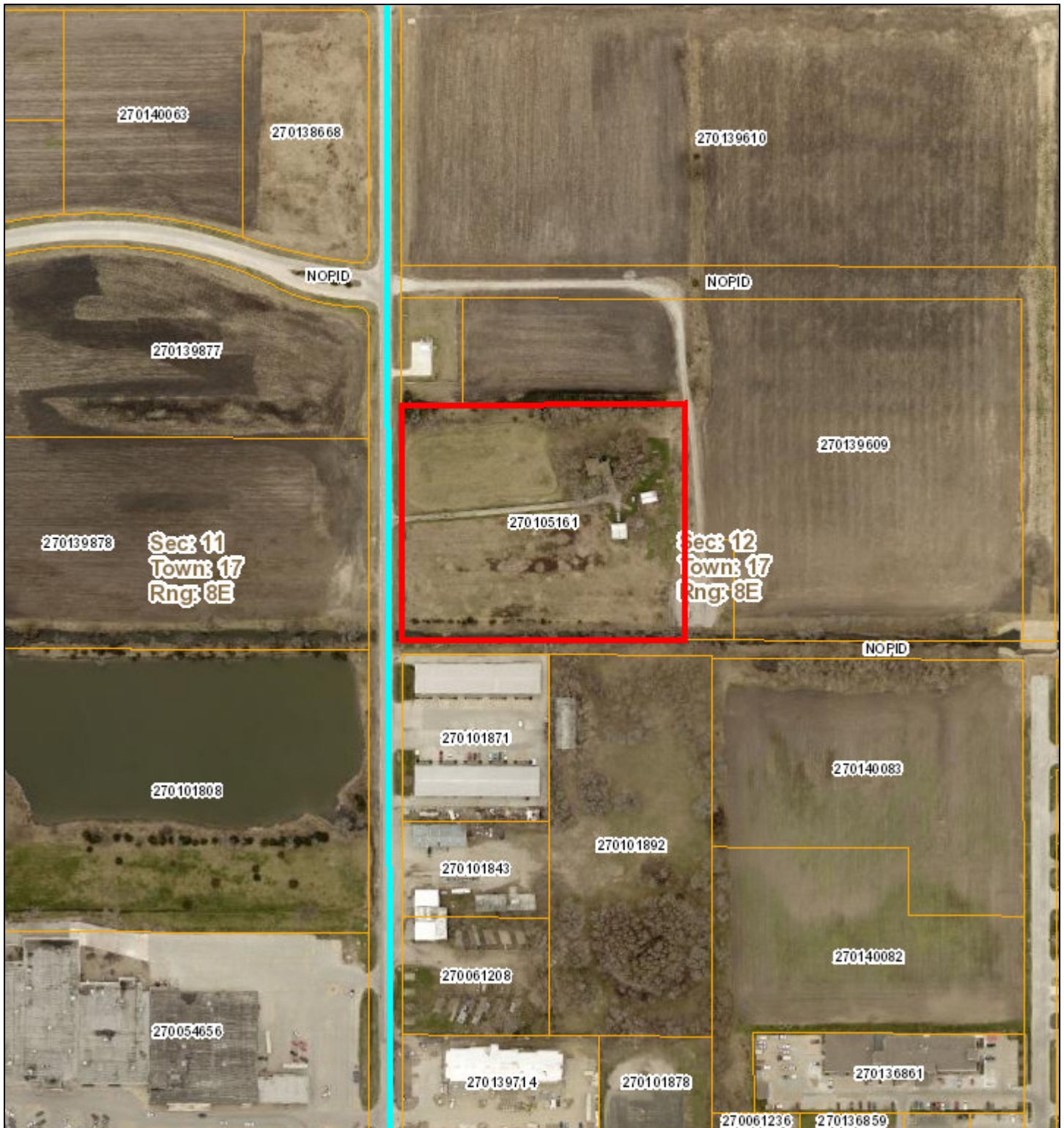


Exhibit A

A TRACT OF LAND LOCATED IN LOT 1, D. SCHROEDER'S SUBDIVISION LOCATED IN THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 12, TOWNSHIP 17 NORTH, RANGE 8 EAST OF THE 6TH P.M., DODGE COUNTY, NEBRASKA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID NORTHWEST QUARTER SOUTHWEST QUARTER AND GOING THENCE N 00 DEGREES 18 MINUTES 20 SECONDS W. ON AN ASSUMED BEARING, ALONG THE WEST MARGIN OF SAID NORTHWEST QUARTER SOUTHWEST QUARTER FOR A DISTANCE OF 33.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING N 00 DEGREES 18 MINUTES 20 SECONDS W ALONG SAID WEST MARGIN FOR A DISTANCE OF 469.00 FEET; THENCE N 89 DEGREES 20 MINUTES 40 SECONDS E. FOR A DISTANCE OF 567.00 FEET; THENCE S 00 DEGREES 18 MINUTES 20 SECONDS E. PARALLEL TO THE WEST MARGIN OF SAID NORTHWEST QUARTER SOUTHWEST QUARTER FOR A DISTANCE OF 475.50 FEET TO A POINT 33.00 FEET NORTH OF THE SOUTH MARGIN OF SAID NORTHWEST QUARTER SOUTHWEST QUARTER; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS W PARALLEL TO SAID SOUTH MARGIN FOR A DISTANCE OF 567.00 FEET TO THE POINT OF BEGINNING, SAID TRACT BEING SUBJECT TO A PUBLIC ROAD R.O.W. ALONG THE WEST.



# 2740 North Yager Road



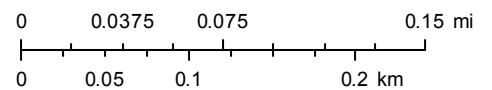
February 7, 2018

DISCLAIMER: This map is not intended for conveyances, nor is it a legal survey. The information is presented on a best-efforts basis, and should not be relied upon for making financial, survey, legal or other commitments.

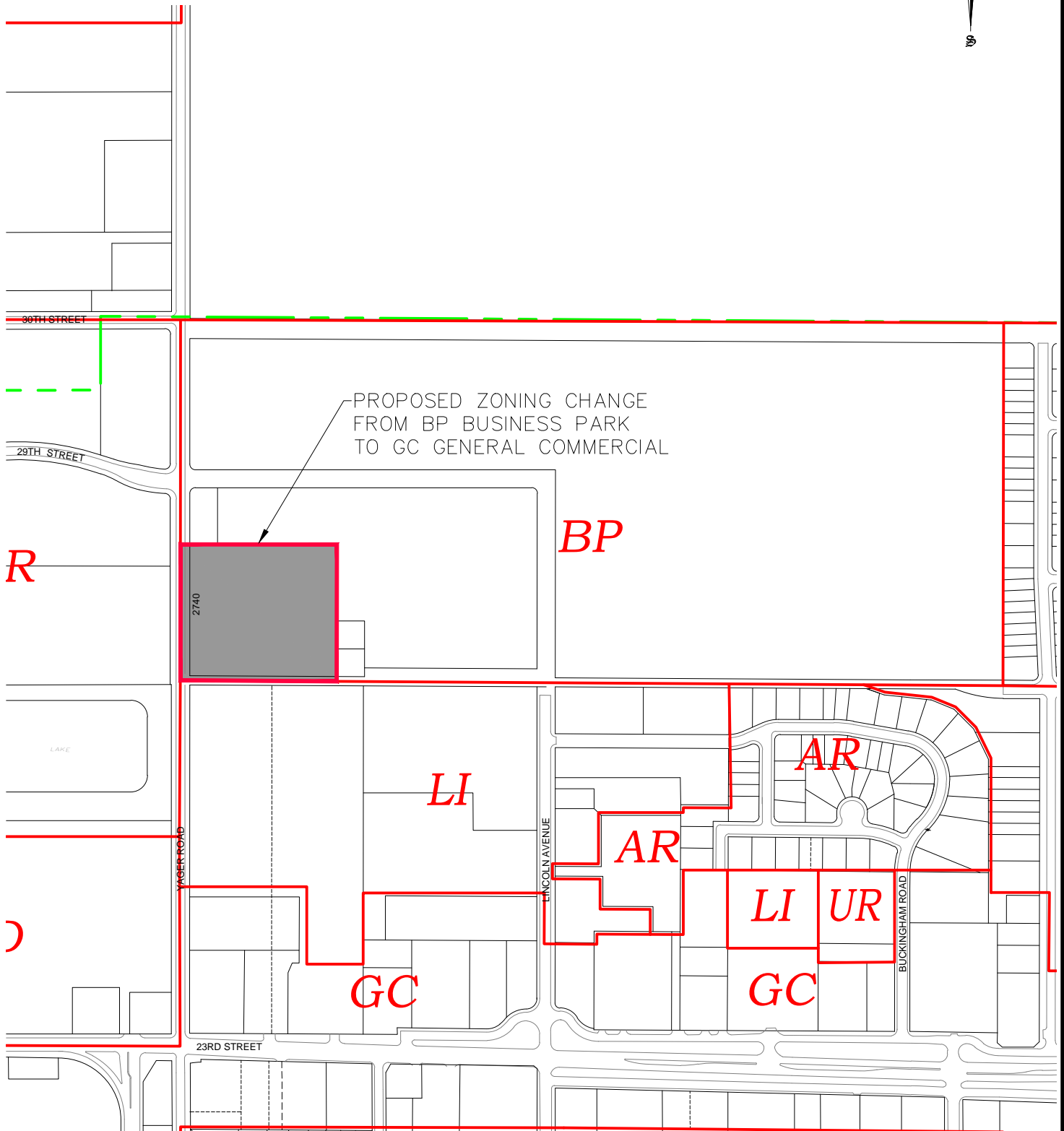
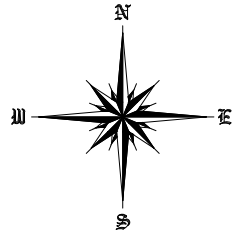
Legend

- Parcels
- Sections

1:4,514



# 2740 NORTH YAGER ROAD

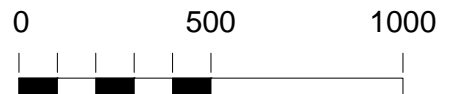


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CITY OF  
**FREMONT**

NEBRASKA PATHFINDERS

PUBLIC WORKS  
ENGINEERING DEPARTMENT



# Staff Report

**TO:** Planning Commission

**FROM:** Don Simon, Building Official

**DATE:** February 19, 2018

**SUBJECT:** Voluntary Annexation Petition – PT TL 44, 1.54 A 9-17-8, Fremont Dodge Co. NE known as 2800 W 23<sup>rd</sup> .

---

**Recommendation:** 1) open the public hearing, 2) receive testimony, 3) close the public hearing, and 4) move to recommend approval.

---

**Background:** A Voluntary Annexation Petition has been received by Bob Missel on behalf of Dodge County, requesting annexation of approximately 1.54 acres into the corporate limits.

According to Nebraska Revised Statutes § 19-929, “The municipal governing body shall not take final action on matters relating to the comprehensive development plan, capital improvements, building codes, subdivision development, the annexation of territory, or zoning until it has received the recommendation of the planning commission if such commission in fact has been created and is existent.”

Annexation of the subject property is consistent with the policies of the Comprehensive Plan (“Plan”) and the priorities for accommodating new development – specifically, annexing land that is immediately abutting the corporate limits and contiguous to existing infrastructure thereby allowing efficient and ready extension of streets, utilities, and police and fire protection services, and annexing land that is presently removed from the corporate limits but for which there are strategic benefits for economic development purposes.

## PETITION

TO, the City Council of the City of Fremont, Nebraska ("City")

COMES NOW, Dodge County, owner of the  
following described real estate ("Petitioner"), to wit: 2860 W 23rd  
Pt TL 44 1.54 A 9-17-8 Fremont Dodge Co NE  
(see metes and bounds description and exhibits attached hereto and incorporated herein for all purposes)

and respectfully requests that the above described property be annexed into the City, and would respectfully show as follows:

1. That the above described property is within the extraterritorial jurisdiction of the City, and is adjacent to the present corporate limits of the City; and
2. That in order to protect the inhabitants of such property and to promote the orderly development of such property, such property should be annexed into the City, and by the execution hereof, the undersigned petitions the City Council to annex such property into the corporate limits of the City.

WHEREFORE, PREMISES CONSIDERED, Petitioner requests these bodies to take the appropriate steps to annex this property.

Bob Miller CHAIRMAN  
(Signature)

2/1/18  
(Date)

Return to:  
Dodge County Title & Escrow Co. LLC  
549 N. Main  
Fremont, NE 68025

## WARRANTY DEED

Group Med, a Partnership, GRANTOR, in consideration of Two Dollars (\$2.00) and other good and valuable consideration received from GRANTEE,

Dodge County, NE, Political Subdivision, conveys to GRANTEE, the following described real estate (as defined in Neb. Stat. 76-201) in Dodge County, Nebraska:

A parcel of land being part of the Southeast Quarter of the Southwest Quarter of Section 9, Township 17 North, Range 8 East of the Sixth P.M., Dodge County, Nebraska, being described as follows:

Commencing at the Southwest corner of said Southeast Quarter Southwest Quarter; thence S89°40'05"E (Assumed Bearing) on the South line of said Southeast Quarter Southwest Quarter, a distance of 75.00 feet; thence N00°05'11"W, a distance of 33.00 feet to a point on the North line of West 23rd Street; thence S89°40'05"E on said North line, a distance of 364.55 feet to the Southwest corner of a parcel of land previously described and recorded in the Dodge County Register of Deeds Office in Deed Book 243, page 745, this being the true point of beginning; thence N00°00'00"E on the West line of said parcel, a distance of 417.24 feet; thence S89°40'05"E, a distance of 161.35 feet to a point of the East line of said parcel; thence S00°00'00"E on said East line, a distance of 417.24 feet to a point on the North line of West 23rd Street, this being the Southeast corner of said parcel; thence N89°40'05"W on said North line, a distance of 161.35 feet to the true point of beginning.

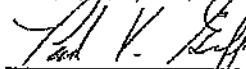
GRANTOR covenants with GRANTEE that GRANTOR:

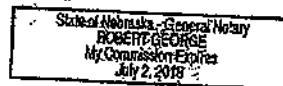
- (1) is lawfully seized of such real estate, that it is free from encumbrances, except easements, restrictions and reservations of records, and a pro-rated share of current real estate taxes and subsequent taxes and assessments;
- (2) has legal power and lawful authority to convey the same;
- (3) warrants and will defend title to the real estate against the lawful claims of all persons.

Executed Dec 9, 2017.

Group Med, a Partnership

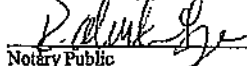
  
Paul V. Gifford, Partner

  
Paul V. Gifford, President of  
Gifford Realty, Inc., Partner



State of Nebraska  
County of Dodge

The foregoing instrument was acknowledged before me this 9 day of Dec, 2017 by Paul V. Gifford, Partner of Group Med, a Partnership and President of Gifford Realty, Partner.

  
Notary Public

File No. 171120





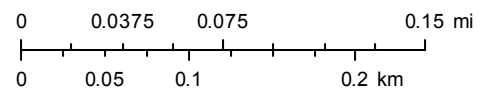
February 7, 2018

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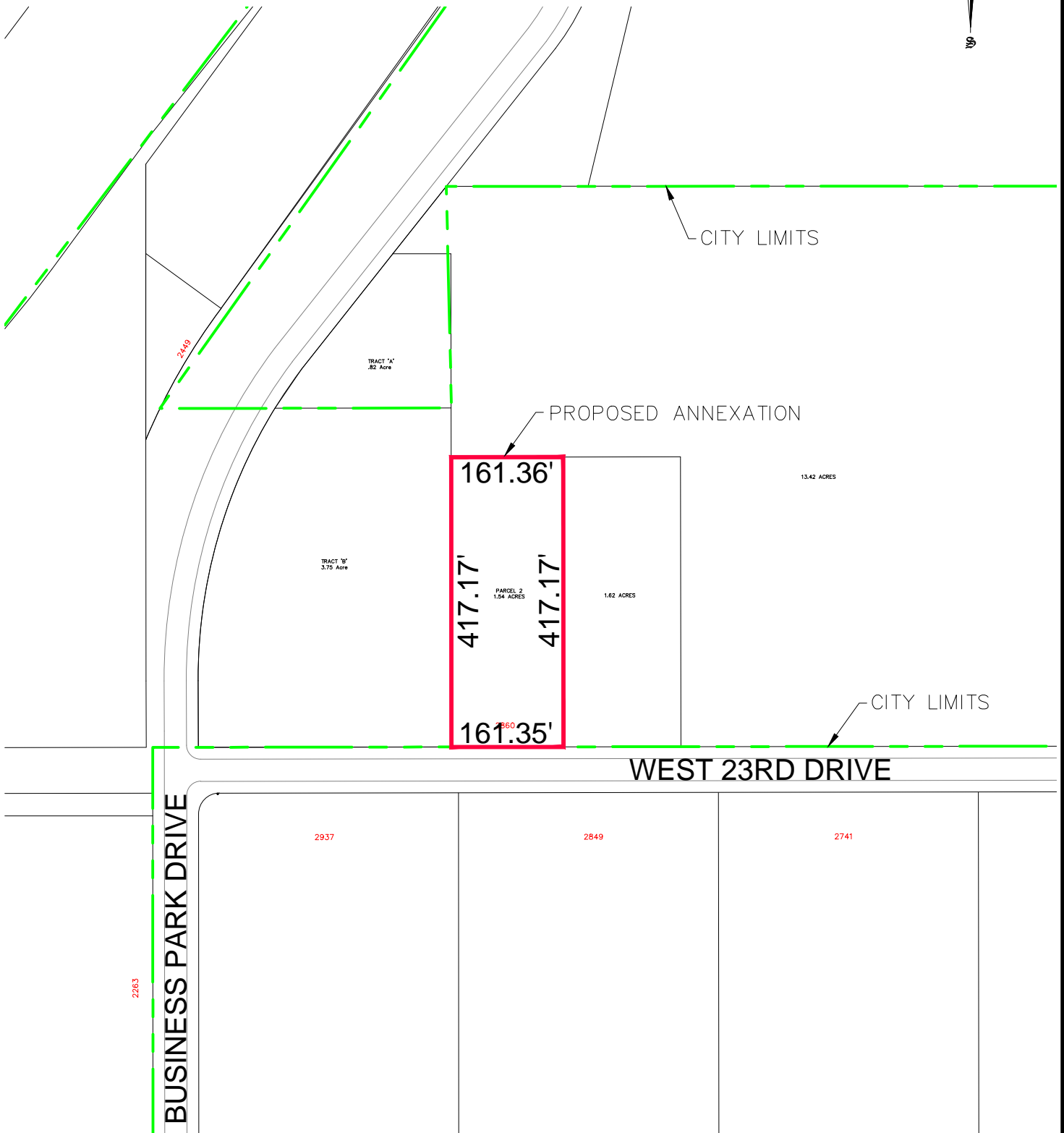
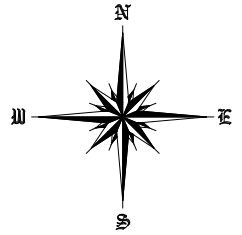
Legend

- Parcels
- Sections

1:4,514



# 2860 WEST 23RD DRIVE



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CITY OF  
**FREMONT**  
NEBRASKA PATHFINDERS  
PUBLIC WORKS  
ENGINEERING DEPARTMENT



## STAFF REPORT

TO: Planning Commission

FROM: Dave Goedeken, Director of Public Works/City Engineer

DATE: February 7, 2018

SUBJECT: 2018 One and Six Year Street Improvement Plan

Recommendation: Provide Input – No formal action required
---

**Background:** Each year the City of Fremont Street Superintendent is required to submit a One and Six Year Street Improvement Plan to the Nebraska Department of Roads. Attached is a copy of the Draft 2018 One and Six Year Street Improvement Plan. The plan does not obligate funds, nor authorize any specific project. The Plan is intended as a transportation planning tool for the upcoming years.



# **1 & 6 YEAR STREET IMPROVEMENT PROGRAM (2018)**

## **1ST YEAR 2018**

Park Avenue - 2nd Street to Military Avenue	\$940,000
Washington School Sidewalk District (CDBG Match)	\$125,000
Costco Complex Streets (TIF Funded Projects)	\$3,500,000
Johnson Road Trail	\$440,000
Pedestrian Signals	\$200,000
Luther Road & Morningside Road Intersection	\$125,000
Bell Street Viaduct-Cuming Street to South Base of Viaduct	\$500,000
Rawhide Creek Bridge (North Somers Ave)	\$300,000
East Military Avenue - Grant to Clarmar Avenue	\$250,000
Mayfair Avenue - 16th to 19th Street	\$400,000
Garfield Street - 16th to 19th Street	\$400,000
Johnson Road - Morningside to Fremont Drive	\$500,000
Yager Road and 23rd Street Intersection	\$125,000
29th Street and Yager Intersection	\$25,000
16th Street - Colson Avenue to Nye Avenue	\$55,000
<b>TOTAL 1ST YEAR</b>	<b>\$7,885,000</b>

## **2ND THROUGH 6TH YEAR 2019-2023**

US 77 Bypass Southeast Beltway	\$40,000,000
West 23rd BNSF RR Viaduct	\$27,000,000
Rawhide Creek Trail	\$610,000
Broad Street & Cloverly Road Intersection	\$150,000
Railroad Quiet Zone	\$1,100,000
Pierce Street - Military to Linden Avenue	\$600,000
32nd Street - Yager to Luther Road	\$1,300,000
Yager Road & 29th Street Intersection	\$10,000
Broad Street - 16th to 23rd Street	\$300,000
Luther Road - Military to 23rd Street	\$2,000,000
Bell Street - Linden Avenue to 23rd Street	\$700,000
Ridge Road and Extend Jones Drive, Box Culvert	\$150,000
1st Street - Bell Street to Luther Road	\$1,600,000
23rd/Bell/Yager Intersection	\$10,000,000
Military Avenue - Luther Road to US Highway 275	\$1,510,000
20th Street - Nye Avenue to H Street	\$250,000
Reynolds Road - Clarkson to 2 Blocks East	\$250,000
Pierce Street and South Street	\$850,000
Westside Addition Street Paving	\$1,365,000
19th Street - Somers to Nye Avenue	\$110,000
Broad Street & Military Avenue Intersection	\$400,000
<b>TOTAL 2ND THROUGH 6TH YEAR</b>	<b>\$90,255,000</b>

## **PROJECTS COMPLETED IN 2017**

Ridge Road Trail	\$636,000
Broad St and Cloverly Rd Intersection, Temp. Traffic Signal	\$80,000

Deer Pointe 4th Addition (Private Development)	\$200,000
Main Street - 1st to 3rd Street	\$140,000
Johnson Road - Peterson to 16th Street Roundabout	\$290,000
Pedestrian Traffic Signals	\$270,000
Central Park Second Addition (Private Development)	\$350,000
<b>TOTAL PROJECTS COMPLETED IN 2016</b>	<b>\$1,966,000</b>

**LEGEND**

- CITY LIMITS
- ONE YEAR
- SIX YEAR



TED: 2/7/2018